

CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1510

Citations Affected: IC 3-5; IC 3-6; IC 3-7; IC 3-8; IC 3-9; IC 3-10; IC 3-11; IC 3-12; IC 3-13-11-9; IC 36-1-8-10.

Synopsis: Various election law matters. Makes the following changes in election law: (1) Requires the election division of the secretary of state's office to maintain the statewide voter registration file so that the file is accessible by the election division and county voter registration offices through a secure connection over the Internet not later than July 1, 2004. Requires county voter registration offices to transmit required voter registration information to the election division over the Internet, in a manner and method prescribed by the election division, through a secure connection to the statewide voter registration file, not later than July 1, 2004. Provides that the election commission may delay implementation of all or any part of the operation of the file by adopting a resolution that states the reasons for the delay and sets a new deadline for implementation. Requires the election division to format the file so that only the county voter registration office of a particular county is able to change data in the file for that particular county's voters. Provides that the election commission is not required to provide direct public access to the statewide voter registration file over the Internet. (2) Requires the Indiana election division to make voter registration forms available on the Internet website maintained by the division so that the forms can be downloaded. (3) Requires the state department of health and the department of correction to make certain information concerning deceased voters and incarcerated individuals available to the election division electronically. (4) Requires an individual registering to vote to provide a "voter's identification number" that is the same number as either the individual's Indiana driver's license number or the individual's Indiana identification card number. Requires precinct election officials to request of each voter at the polls the voter's identification number. Provides that a voter is not required to provide an identification number at the polls. (5) Provides that a person is not disqualified from serving as a precinct election official because the person is related to a candidate in that precinct, if the candidate is unopposed. (6) Specifies when a candidate's committee statement of organization is to be filed. (7) Specifies that write-in candidates are required to file all campaign finance reports. (8) Revises language regarding ballot card colors. (9) Resolves a conflict in statutes regarding public access to election materials. (10) Provides a standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election or of an appointee to a board of a political subdivision. Provides that political affiliation is determined by either: (A) the political party in whose primary election the candidate or appointee most

recently voted; or (B) the political party of the county chairman who certifies that the candidate or appointee is a member of that political party. Provides that in the case of a candidate who has never voted in a primary election, party affiliation is determined by any party claimed by the candidate. (11) Provides that a county election board may adopt a resolution to authorize the circuit court clerk to establish satellite offices in the county where voters may cast absentee ballots before an absentee voter board. Requires the county election board to adopt such a resolution by unanimous consent of the entire membership of the board. (12) Provides that the legislative members of the Lake County redistricting commission are voting members of the commission. (13) Repeals obsolete sections of the voter registration statutes. (14) Makes technical changes. (This conference committee report adds all of the previously listed provisions except that the following provisions are already included in the bill: (1) The requirement that the election division make voter registration forms available on the division's website. (2) The provisions requiring the state department of health and the department of correction to transmit certain information to the election division electronically. (3) The repeal of some of the voter registration statutes.)

Effective: July 1, 2001.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1510 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 3-5-2-50.1 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2001]: **Sec. 50.1. "Voter identification number" refers to the**
- 6 **number determined for a voter under IC 3-7-13-13.**
- 7 SECTION 2. IC 3-6-6-7 IS AMENDED TO READ AS FOLLOWS
- 8 [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) An otherwise qualified person
- 9 is eligible to serve as a precinct election officer unless ~~the person:~~ **any**
- 10 **of the following apply:**
- 11 (1) **The person** is unable to read, write, and speak the English
- 12 language.
- 13 (2) **The person** has any property bet or wagered on the result of the
- 14 election.
- 15 (3) **The person** is a candidate to be voted for at the election, except
- 16 as an unopposed candidate for a precinct committeeman or state
- 17 convention delegate. ~~or~~
- 18 (4) **The person** is the spouse, parent, father-in-law, mother-in-law,
- 19 child, son-in-law, daughter-in-law, grandparent, grandchild,
- 20 brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew,
- 21 or niece of a candidate or declared write-in candidate to be voted
- 22 for at the election ~~except an unopposed candidate: in that~~

precinct. This subdivision disqualifies a person whose relationship to the candidate is the result of birth, marriage, or adoption. **This subdivision does not disqualify a person from serving as a precinct election officer if the candidate to whom the person is related is an unopposed candidate.**

(b) In addition to the requirements of subsection (a), a person is not eligible to serve as an inspector if the person is the chairman or treasurer of the committee of a candidate whose name appears on the ballot.

SECTION 3. IC 3-7-13-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 13. (a) Except as provided in subsection (b), when an individual registers to vote, the individual must provide the individual's driver's license number issued under IC 9-24-11 or the individual's identification card number issued under IC 9-24-16.**

(b) If an individual does not have a driver's license issued under IC 9-24-11 or an identification card issued under IC 9-24-16, the individual may provide the last four (4) digits of the individual's Social Security number when the individual registers to vote.

(c) The number provided by the individual under subsection (a) or (b) is the individual's voter identification number.

(d) A voter's voter identification number may not be changed unless the voter made an error when providing the number when registering to vote.

(e) If a voter transfers the voter's registration and the voter's voter identification number is not included in the voter's registration records, the voter registration officer of the county in which the voter's registration is to be transferred shall require the voter to provide the number required by subsection (a) or (b) before the voter's registration is transferred.

SECTION 4. IC 3-7-26-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 2. (a) The ~~commission~~ election division shall develop and maintain a statewide voter registration file.**

(b) Subject to section 20 of this chapter, not later than July 1, 2004, the election division shall maintain the statewide voter registration file so that the file is accessible by the election division and county voter registration offices through a secure connection over the Internet.

SECTION 5. IC 3-7-26-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 3. (a) Each county voter registration office shall provide the voter registration information required under section 7 of this chapter to the election division.**

(b) The voter registration office shall periodically update the voter registration information as provided in this chapter and in IC 3-7-38.1.

(c) The election division shall format the statewide voter registration file required under section 2(b) of this chapter so that only the county voter registration office of a particular county is able to change data in the file for that particular county's voters.

SECTION 6. IC 3-7-26-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 7. The circuit court clerk or board of registration shall provide the following information in a format**

prescribed by the commission for each voter who is registered in the county:

(1) Name.

(2) Address, in the form of:

(A) a physical address, in a city or town where a street address is insufficient to provide United States Postal Service delivery; and

(B) a mailing address, as recognized by the local United States Postal Service office, including city or town, state, and zip code; in separate data fields, according to commission formatting standards.

(3) Date of birth.

(4) Township.

(5) Ward, if applicable.

(6) Precinct.

(7) State senate district and house of representatives district.

(8) Congressional district.

(9) Gender.

(10) Telephone number, if available.

(11) Voting history for the previous ten (10) year period if available.

(12) A unique field established for each registered voter, so that future submissions may be linked and cross-referenced with previous data submitted by the county.

(13) Date of registration.

(14) Voter identification number.

SECTION 7. IC 3-7-26-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. **(a) Until a county has the capability to transmit the information over the Internet as required under subsection (b),** the information required by section 7 of this chapter shall be provided on magnetic media or other machine readable form to the election division.

(b) Subject to section 20 of this chapter, not later than July 1, 2004, a county voter registration office shall transmit the information required by section 7 of this chapter to the election division over the Internet, in a manner and using a method prescribed by the election division, through a secure connection to the statewide voter registration file.

(c) The commission shall prescribe a format to ensure the standardization and readability of the data **provided under subsection (a) or (b).**

SECTION 8. IC 3-7-26-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. **(a)** Except as provided in **subsection (b) and** section 11 of this chapter, the commission shall act under IC 5-14-3-3(g) to adopt a nondiscriminatory uniform policy regarding the duplication of a complete and undivided compilation of the information all counties have provided to the statewide voter file. The commission and the election division may not provide any division of the compilation.

(b) The commission is not required to provide direct public access to the statewide voter registration file over the Internet.

SECTION 9. IC 3-7-26-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 20. (a) As used in this section, "file" refers to the statewide voter registration file developed and maintained under section 2 of this chapter.**

(b) Notwithstanding the deadlines for implementation of the file required by section 2 or section 8 of this chapter, the election division may delay implementation of all or any part of the operation of the file required by section 2 or section 8 of this chapter if the commission adopts a resolution to delay implementation.

(c) A resolution adopted under subsection (b) must contain all of the following:

(1) A statement of the reasons for the delay of implementation.

(2) A statement by the commission that the commission considers the reasons stated under subdivision (1) as sufficient cause to delay implementation.

(3) A new deadline for implementation of the part of the operation of the file that is delayed under the resolution.

(d) The commission may do the following:

(1) Amend a resolution adopted under this section.

(2) Adopt more than one (1) resolution under this section.

(e) Not later than thirty (30) days after the commission adopts a resolution under this section, the election division shall send a copy of the resolution to the following:

(1) The legislative council.

(2) The census data advisory committee established by IC 2-5-19-2."

Page 1, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 11. IC 3-7-31-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 5. The registration forms prescribed under section 1 of this chapter must:**

(1) provide for the residence address and the mailing address of the individual completing the forms;

(2) contain a statement that a notice of disposition of the person's registration application will be mailed to the mailing address of the individual; and

(3) ~~request the Social Security~~ require the applicant to provide the applicant's voter identification number. ~~of the applicant, as permitted under the federal Privacy Act of 1974 (5 U.S.C. 552a).~~"

Page 2, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 15. IC 3-8-2-7, AS AMENDED BY P.L.202-1999, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 7. (a) The declaration of each candidate required by this chapter must be signed before a person authorized to administer oaths and contain the following information:**

(1) The candidate's name, printed or typewritten as:

(A) the candidate wants the candidate's name to appear on the ballot; and

(B) the candidate's name is permitted to appear on the ballot under IC 3-5-7.

(2) A statement that the candidate is a registered voter and the location of the candidate's precinct and township (or ward and city or town), county, and state.

(3) The candidate's complete residence address, and if the candidate's mailing address is different from the residence address, the mailing address.

(4) A statement of the candidate's party affiliation. **For purposes of this subdivision, a candidate is considered to be affiliated with a political party only if any of the following applies:**

(A) The most recent primary election in which the candidate voted was a primary election held by the party with which the candidate claims affiliation.

(B) The candidate has never voted in a primary election and claims a party affiliation.

(C) The county chairman of:

(i) the political party with which the candidate claims affiliation; and

(ii) the county in which the candidate resides;

certifies that the candidate is a member of the political party.

(5) A statement that the candidate complies with all requirements under the laws of Indiana to be a candidate for the above named office, including any applicable residency requirements, and that the candidate is not ineligible to be a candidate due to a criminal conviction that would prohibit the candidate from serving in the office.

(6) A request that the candidate's name be placed on the official primary ballot of that party to be voted on, the office for which the candidate is declaring, and the date of the primary election.

(7) A statement that the candidate:

(A) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(B) agrees to comply with the provisions of IC 3-9.

The candidate must separately sign the statement required by this subdivision.

(8) A statement as to whether the candidate has been a candidate for state or local office in a previous primary or general election and whether the candidate has filed all reports required by IC 3-9-5-10 for all previous candidacies.

(9) If the candidate is subject to IC 3-9-1-5, a statement that the candidate has filed a campaign finance statement of organization for the candidate's principal committee or is aware that the candidate may be required to file a campaign finance statement of organization not later than noon seven (7) days after the final date to file the declaration of candidacy under section 11 of this chapter.

(10) The candidate's signature.

(b) The commission shall provide that the form of a declaration of candidacy includes the following information near the separate signature required by subsection (a)(7):

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under

IC 3-9.

(c) A declaration of candidacy must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of candidacy. If there is a difference between the name on the candidate's declaration of candidacy and the name on the candidate's voter registration record, the officer with whom the declaration of candidacy is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy.

SECTION 16. IC 3-9-1-5, AS AMENDED BY P.L.26-2000, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) This section does not apply to the following candidates:

(1) A candidate for a local office for which the compensation is less than five thousand dollars (\$5,000) per year.

(2) A candidate for a school board office.

(b) Each candidate shall have a principal committee.

(c) ~~Not later than:~~

~~(1) noon ten (10) days after becoming a candidate; or~~

~~(2) noon seven (7) days after the final date and hour for filing a:~~

~~(A) declaration of candidacy under IC 3-8-2;~~

~~(B) petition of nomination under IC 3-8-6;~~

~~(C) certificate of nomination under IC 3-8-7-8;~~

~~(D) certificate of candidate selection under IC 3-13-1 or IC 3-13-2; or~~

~~(E) declaration of intent to be a write-in candidate under IC 3-8-2;~~

~~whichever occurs first;~~

the A candidate shall file a written instrument designating the name of the principal committee and the names of the chairman and treasurer of the committee. The written instrument must be filed not later than the earliest of the following:

(1) Noon ten (10) days after becoming a candidate.

(2) Noon seven (7) days after the final date and hour for filing any of the following, whichever applies to the candidate:

(A) A declaration of candidacy under IC 3-8-2.

(B) A petition of nomination under IC 3-8-6.

(C) A certificate of nomination under IC 3-8-7-8.

(D) A certificate of candidate selection under IC 3-13-1 or IC 3-13-2.

(E) A declaration of intent to be a write-in candidate under IC 3-8-2.

(3) The date a candidate is required to file the candidate's first campaign finance report under IC 3-9-5.

(d) This designation may be made on the same instrument as the statement of organization required from the principal committee.

SECTION 17. IC 3-9-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) Except as provided in

~~subsection~~ **subsections** (b) and (c), in a year in which a candidate ~~does~~
~~is not appear on an a candidate for~~ election ~~ballot for an to an~~ office
to which this article applies or does not seek nomination at a caucus or
state convention for election to an office to which this article applies,
the treasurer of the candidate's committee shall file only the report
required by section 10 of this chapter.

(b) This subsection applies to a candidate who holds one (1) office
and is a candidate for a different office (or has filed a statement of
organization for an exploratory committee without indicating that the
individual is a candidate for a specific office). The treasurer of the
candidate's committee for the office the candidate holds shall file the
following reports:

(1) If the committee spends, transfers in, or transfers out at least
ten thousand dollars (\$10,000) from January 1 until twenty-five
(25) days before the primary election, the treasurer shall file a
pre-primary report under section 6 of this chapter.

(2) If the committee spends, transfers in, or transfers out at least
ten thousand dollars (\$10,000) from twenty-five (25) days before
the primary election until twenty-five (25) days before the general
election, the treasurer shall file a pre-general election report under
section 6 of this chapter.

(3) The report required under section 10 of this chapter.

(c) This subsection applies to a candidate who is required to file a
pre-primary report or pre-convention report under section 6 of this
chapter and who:

(1) is defeated at the primary election or convention; or

(2) withdraws or is disqualified as a candidate before the general
election.

The treasurer of a candidate's committee described by this subsection
is not required to file a pre-general election report under section 6 of
this chapter but shall file the report required by section 10 of this
chapter.

SECTION 18. IC 3-10-1-24 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 24. (a) A voter who
desires to vote must give the voter's name and political party to the poll
clerks of the precinct on primary election day. The poll clerks shall
require the voter to write the following on the poll list:

(1) The voter's name.

(2) The voter's current residence address.

(3) The name of the voter's party.

(b) The poll clerks shall:

**(1) ask the voter to provide the voter's voter identification
number;**

**(2) tell the voter the number the voter may use as a voter
identification number; and**

**(3) explain to the voter that the voter is not required to provide
a voter identification number at the polls.**

(c) If the voter is unable to sign the voter's name, the voter must sign
the poll list by mark, which must be witnessed by one (1) of the poll
clerks or assistant poll clerks acting under IC 3-6-6, who shall place the
poll clerk's or assistant poll clerk's initials after or under the mark.

SECTION 19. IC 3-10-1-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 31. (a) The inspector of each precinct shall deliver the bags required by section 30(a) and 30(c) of this chapter in good condition, together with poll lists, tally sheets, and other forms, to the circuit court clerk when making returns.

(b) Except for unused ballots disposed of under IC 3-11-3-31, the circuit court clerk shall carefully preserve the ballots and other material and keep all seals intact for twenty-two (22) months, as required by 42 U.S.C. 1974, after which they may be destroyed unless:

- (1) an order issued under IC 3-12-6-19 or IC 3-12-11-16; or
- (2) 42 U.S.C. 1973;

requires the continued preservation of the ballots or other material.

(c) Upon delivery of the poll lists, the circuit court clerk or board of registration may unseal the envelopes containing the poll lists. For the purposes of:

- (1) a cancellation of registration conducted under IC 3-7-43 through IC 3-7-46; or
- (2) a transfer of registration conducted under IC 3-7-39, IC 3-7-40, or IC 3-7-42;

the clerk or board may inspect the poll lists and update the registration record of the county. **The clerk or board shall use the poll lists to update the registration record to include the voter's voter identification number if the voter's voter identification number is not already included in the registration record.** Upon completion of the inspection, the poll list shall be resealed and preserved with the ballots and other materials for the time period prescribed by subsection (b).

(d) After the expiration of the period described in subsection (b), the ballots may be destroyed in the manner provided by IC 3-11-3-31 or transferred to a state educational institution as provided by IC 3-12-2-12.

SECTION 20. IC 3-11-3-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. (a) At the extreme top of a poll list sheet the heading "VOTERS POLL LIST" should appear, followed by the following information:

- (1) The type of election.
- (2) The date of the election.
- (3) The name of the precinct, township (or ward), and county.

(b) Following the information required in subsection (a), the following headings should appear from left to right on each sheet:

- (1) "Signature of Voter".
- (2) "Address of Voter".
- (3) **"Voter Identification Number (Optional)".**
- (4) "If any voter shows his or her ballot after being marked, or by accident mutilates or defaces his or her ballot, note it in this column. Also note any other irregularity in this column."

SECTION 21. IC 3-11-8-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 25. (a) After a voter has passed the challengers or has been sworn in, the voter shall be admitted to the polls. Upon entering the polls, the voter shall announce the voter's name to the poll clerks or assistant poll clerks. A poll clerk, an

1 assistant poll clerk, or a member of the precinct election board shall
 2 require the voter to ~~sign~~ **write the following** on the poll list:

3 (1) The voter's name. ~~and~~

4 (2) ~~The voter's~~ current **residence** address. ~~of residence.~~

5 (b) **The poll clerk, an assistant poll clerk, or a member of the**
 6 **precinct election board shall:**

7 (1) **ask the voter to provide the voter's voter identification**
 8 **number;**

9 (2) **tell the voter the number the voter may use as a voter**
 10 **identification number; and**

11 (3) **explain to the voter that the voter is not required to provide**
 12 **a voter identification number at the polls.**

13 (c) This subsection does not apply to a precinct in a county with a
 14 computerized registration system whose inspector was:

15 (1) furnished with a list certified under IC 3-7-29; and

16 (2) not furnished with a certified photocopy of the signature on the
 17 affidavit of registration of each voter of the precinct for the
 18 comparison of signatures under this section.

19 In case of doubt concerning a voter's identity, the precinct election
 20 board shall compare the voter's signature with the signature on the
 21 affidavit of registration or any certified copy of the signature provided
 22 under IC 3-7-29. If the board determines that the voter's signature is
 23 authentic, the voter may then vote. If either poll clerk doubts the voter's
 24 identity following comparison of the signatures the poll clerk shall
 25 challenge the voter in the manner prescribed by section 21 of this
 26 chapter.

27 ~~(e)~~ (d) If, in a precinct governed by subsection ~~(b)~~: (c):

28 (1) the poll clerk does not execute a challenger's affidavit; or

29 (2) the voter executes a challenged voter's affidavit under section
 30 22 of this chapter or had executed the affidavit before signing the
 31 poll list;

32 the voter may then vote.

33 SECTION 22. IC 3-11-8-26 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. (a) If a voter:

35 (1) cannot sign; or

36 (2) is a voter with a disability that makes it difficult for the voter to
 37 sign;

38 the voter's name and address, the poll clerks shall, by proper
 39 interrogation, satisfy themselves that the voter is the person the voter
 40 represents the voter to be.

41 (b) If satisfied as to the voter's identity **under subsection (a)**, one (1)
 42 of the poll clerks shall then place **the following** on the poll list:

43 (1) The ~~voter's~~ name. ~~of the voter and~~

44 (2) The voter's current **residence** address. ~~of residence.~~

45 (c) **The poll clerks shall:**

46 (1) **ask the voter to provide the voter's voter identification**
 47 **number;**

48 (2) **tell the voter the number the voter may use as a voter**
 49 **identification number; and**

50 (3) **explain to the voter that the voter is not required to provide**
 51 **a voter identification number at the polls.**

(d) The poll clerk shall then add the clerk's initials in parentheses, after or under the signature. The voter then may vote.

SECTION 23. IC 3-11-10-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. (a) As an alternative to voting by mail, a voter entitled to cast an absentee ballot may vote by absentee ballot before an absentee voter board:

(1) in the office of the circuit court clerk; **or**

(2) at a satellite office established under section 26.3 of this chapter.

(b) The voter must sign an application on the form prescribed by the commission under IC 3-11-4-5.1 before being permitted to vote. The application must be received by the circuit court clerk not later than the time prescribed by IC 3-11-4-3.

(c) The voter may vote before the board not more than twenty-nine (29) days nor later than noon on the day before election day.

(d) The absentee voter board in the office of the circuit court clerk must permit voters to cast absentee ballots under this section for at least seven (7) hours on each of the two (2) Saturdays preceding election day.

(e) Notwithstanding subsection (d), in a county with a population of less than twenty thousand (20,000), the absentee voter board in the office of the circuit court clerk, with the approval of the county election board, may reduce the number of hours available to cast absentee ballots under this section to a minimum of four (4) hours on each of the two (2) Saturdays preceding election day.

SECTION 24. IC 3-11-10-26.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 26.3. (a) A county election board may adopt a resolution to authorize the circuit court clerk to establish satellite offices in the county where voters may cast absentee ballots before an absentee voter board.**

(b) To be adopted under this section, a resolution must be adopted by the unanimous vote of the board's entire membership.

(c) A resolution adopted under this section must do the following:

(1) State the locations of the satellite offices.

(2) State the hours at which absentee voting may occur at the satellite offices.

(d) The resolution may contain other provisions the board considers useful.

(e) If a resolution is adopted under this section, the procedure for casting an absentee ballot at a satellite office must, except as provided in this section, be substantially the same as the procedure for casting an absentee ballot in the office of the circuit court clerk.

SECTION 25. IC 3-11-13-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21. In a primary election, the ballot cards of each political party must be distinctively marked or be of a different color ~~or tint~~ so that the ballot cards of each party are easily distinguishable.

SECTION 26. IC 3-12-4-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. After the county election board has tabulated the vote:

(1) the canvass sheets used by the board; and
 (2) the certificates, poll lists, and tally papers returned by each inspector in the county;
 shall be delivered to the circuit court clerk. The clerk shall file and preserve all the material in the clerk's office ~~open to inspection by any voter.~~ **as provided in IC 3-10-1-31.**

SECTION 27. IC 3-13-11-9, AS AMENDED BY P.L.26-2000, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) Except as provided in this section, voting by proxy is not permitted in a caucus held under this chapter.

(b) A precinct vice committeeman is entitled to participate in a caucus held under this chapter and vote as a proxy for the vice committeeman's precinct committeeman if all of the following apply:

(1) The vice committeeman's precinct committeeman is otherwise eligible to participate in the caucus under this chapter. This subdivision is satisfied if the vacancy to be filled under this chapter resulted from the death of an individual holding a local office who also served as a precinct committeeman.

(2) The vice committeeman's precinct committeeman is not present at the caucus.

(3) The vice committeeman is eligible under this section.

(c) The vice committeeman of an elected precinct committeeman is eligible to participate in a caucus held under this chapter and vote the precinct committeeman's proxy, regardless of when the ~~ballot~~ vacancy occurred, if the vice committeeman was the vice committeeman five (5) days before the date of the caucus.

(d) If a vice committeeman is not eligible under subsection (c), the vice committeeman is eligible to participate in a caucus held under this chapter and vote the precinct committeeman's proxy only if the vice committeeman was the vice committeeman thirty (30) days before the ~~ballot~~ vacancy occurred.

SECTION 28. IC 36-1-8-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) As used in this section, "board" means an administration, **an** agency, **an** authority, **a** board, **a** bureau, **a** commission, **a** committee, **a** council, **a** department, **a** division, **an** institution, **an** office, **a** service, or ~~other another~~ similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, **either of the following must apply to** the appointee: ~~must:~~

(1) ~~have voted in~~ The most recent primary election **in which the appointee voted was a primary election** held by the party with which the appointee claims affiliation. ~~or~~

(2) ~~if~~ The appointee ~~did not vote in the most recent primary election held by the party with which the appointee claims affiliation;~~ **be is** certified as a member of that party by the party's county chairman for the county in which the appointee resides.

(c) Notwithstanding any other law, if the term of an appointed

1 member of a board expires and the appointing authority does not make
2 an appointment to fill the vacancy, the member may continue to serve
3 on the board for only sixty (60) days after the expiration date of the
4 member's term."

5 Page 2, line 41, after "IC 3-7-22-7;" insert "IC 3-7-26-1;
6 IC 3-7-26-18;"

7 Renumber all SECTIONS consecutively.

(Reference is to EHB 1510 as printed April 3, 2001.)

Conference Committee Report
on
Engrossed House Bill 1510

Signed by:

Representative Stilwell
Chairperson

Senator Landske

Representative Richardson

Senator Sipes

House Conferees

Senate Conferees